

SETTLEMENT OF CERTAIN WAR ACCOUNTS AND CLAIMS

Agreement signed at Vienna June 21, 1947

Entered into force June 21, 1947

61 Stat. 4168; Treaties and Other
International Acts Series 1920

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE FEDERAL GOVERNMENT OF AUSTRIA REGARDING SET-
TLEMENT FOR WAR ACCOUNTS AND CLAIMS INCIDENT TO THE OPERATIONS
OF THE U.S. FORCES IN AUSTRIA DURING THE PERIOD 9 APRIL 1945 TO
30 JUNE 1947, INCLUSIVE

PREAMBLE

1. The Government of the United States of America and the Government of Austria have reached an understanding regarding the settlement for outstanding war accounts and claims incident to the operations of the United States Forces in Austria from the liberation of Austria on 9 April 1945 to 30 June 1947, inclusive. This agreement is in full, complete and final settlement, and the signatory governments agree that, except as herein specifically provided, no further benefits will be sought by either of them as consideration for the foregoing. In arriving at this understanding, the signatory governments have recognized the benefits accruing to each from the liberation of Austria on 9 April 1945, the early establishment of that economic security necessary for a lasting peace as well as the difficulties connected on each side with the keeping of detailed accounts and records during the period of and following actual combat operations of field armies.

2. Effective 1 July 1947, rentals, facilities, goods, services, and schillings procured by the U.S. Occupational Forces stationed in Austria will be paid for with U.S. dollar funds.

ARTICLE I

3. The Government of the United States agrees to pay the sum of Three Hundred Eight Million Three Hundred Eighty Two Thousand Five Hundred Ninety Schillings (Sch 308,382,590) to the Austrian Government in full and final settlement of all obligations incurred by United States Forces, agencies (Public or Quasi-Public) together with forces of other nations operating under command of the U.S. Forces in Austria, during the period 9 April 1945 to 30 June 1947, inclusive.

4. The Austrian Government agrees to accept Three Hundred Eight Million Three Hundred Eighty Two Thousand Five Hundred Ninety Schillings in full, final and complete settlement and payment of all claims which have arisen or may arise as a result of acts which occurred prior to 1 July 1947.

5. The word claims as used covers all claims and includes specifically but is not restricted to the following:

a. Claims for the loss, damage, destruction and use of property, whether real, personal, or mixed and for supplies, communication, transportation and other services, requisitioned, ordered and used, arising out of the exercise or purported exercise of belligerent, occupational or other rights and all other claims of any type whatever against the United States by the Austrian Government, nationals of Austria, or persons owning property in or residing in Austria.

b. Claims for rentals for real estate occupied during the period 9 April 1945 to 30 June 1947, inclusive.

c. Claims for cost of supplies and services of any type whatever, furnished during the aforesaid period to the Government of the United States and to individuals accredited to United States Forces in Austria.

d. Settlement in full for the completed and delivered portion of all contracts entered into by representatives of the Government of the United States with Austrian nationals or others owning property, rendering service or residing in Austria, entered into prior to 1 July 1947.

6. The Austrian Government guarantees the Government of the United States to adjudicate individual claims, pay to individuals and settle with individuals, both Austrian nationals and others owning property, rendering service or residing in Austria, and to guarantee full protection to the United States against any claims for services, supplies, and other obligations of whatever nature which occurred during the period 9 April 1945 to 1 July 1947.

7. The Austrian Government recognizes the validity and propriety of the payments made during the aforementioned period in schillings by the United States for obligations of whatsoever nature.

ARTICLE II

8. The Austrian Government agrees that nothing in this agreement is to be construed as settlement of, or in any manner or form as abrogating the terms of any loans made by any agency of the Government of the United States to the Austrian Government. The Austrian Government further agrees that nothing in this agreement is to be construed as modifying or abrogating the terms of any private agreements entered into by citizens or corporations of the United States with citizens or corporations of or residing in Austria, and will not be construed as changing in any manner whatever or abrogating any securities issued by the Austrian Government or corporations whose home office is in Austria.

ARTICLE III

9. The United States Forces in Austria will deliver to the Austrian Government all records, vouchers, etc. pertaining to the obligation and claims of Austrian Governmental agencies, Austrian nationals, corporations, individuals residing in or owning property in Austria, and foreign and local corporations, remaining unpaid as of 1 July 1947.

10. The United States Forces in Austria will hold available for inspection by the Austrian Government, for a period of two years from the date of signing this agreement, all records pertaining to bills paid or claims settled by the United States Forces in Austria, with Austrian Governmental agencies, Austrian nationals, individuals residing in or owning property in Austria, including claims by or bills owing to foreign and local corporations and remaining unsettled as of 1 July 1947.

11. The Austrian Government will hold available for inspection by representatives of the Government of the United States, for a period of two years from the date of signing this agreement, all records pertaining to financial transactions, supplies, services, and personal services, furnished to the Government of the United States, during the period 9 April 1945 to 1 July 1947.

ARTICLE IV

12. The Austrian Government further agrees that no amount will be charged to the United States Forces in Austria for any real properties, chattels appurtenant thereto or personal services in connection therewith which shall be derequisitioned and vacated by the United States Forces in Austria prior to 31 July 1947 or for any claims arising out of the termination of employment.

13. This English text in 4 pages including this one is agreed upon as the official language of this agreement, but a translation into German will be made.

In witness whereof the parties hereto by their duly authorized representatives have hereunto set their hands at Vienna, Austria, this 21st day of June 1947

For the United States of America

GEOFFREY KEYES,

Lieutenant General, USA

High Commissioner

For the Federal Government of Austria

FIGL LEOPOLD,

Chancellor for the

Federal Government

of Austria [translation]

[SEAL]